Mr. K. T. Bhashyam Iyengar.—

How many persons did they examine and how long did the enquiry last ?

Second Member of Council.—

Notice.

GOVERNMENT BUSINESS (*Resumed.*)

Special Committee for Examining the Amendments to the Standing Orders of the Representative Assembly.

With reference to the discussions on the previous day in connection with the statement furnished by Government regarding amendments to the Standing Orders of the Representative Assembly, the LAW SECRETARY TO GOVERNMENT informed the House that it was proposed to appoint a Special Committee consisting of

1. Mr. D. S. Mallappa,
2. ,, Hosakoppa Krishna Rao,
3. ,, H. C. Dasappa,
4. Khan Bahadur Md. Abbas Khan,
5. Mr. Sylvester Pais,
6. ,, S. C. Mallaiya,
7. ,, P. Subbarama Chetty,
8. ,, B. S. Puttaswamy, and
9. The Government Advocate,

with the Third Member of Council as Chairman, to go into the question and submit a report. He added that if the members desired to suggest any other names they were free to do so.

MR. D. S. MALLAPPA suggested the inclusion of Mr. H. B. Gundappa Gowda's name, and MR. H. C. DASAPPA proposed the addition of Mr. K. Changalaraya Reddy's name.

Many OTHER MEMBERS stated that it would be better to select members from all the districts as far as possible.

THE THIRD MEMBER OF COUNCIL pointed out that when the question was brought up the previous day, the House was in favour of Government suggesting the names. As the committee should consist of people who had experience of Assembly work, a suitable selection had been made out of them. If, on the other hand, the House was particular that the members of the committee should be drawn from each district, the Government would have no objection.

THE DEWAN observed that would be better to leave the matter to the discretion of the Government.

This was agreed to by the House.

Bill further to Amend the Mysore District Boards Regulation.

THE SECOND MEMBER OF COUNCIL explained the general principles of the Bill as follows :—

The Municipal Regulation Amendment Committee have recommended that the term of the Presidents of Municipal Councils, when they are elected by the Municipal Councils, be limited to one year and a person who is once elected as President may not be allowed to stand for election at the next succeeding election. The adoption of this principle in regard to the election of Presidents of District Boards is also desirable. It is also considered expedient to take power to limit one term of the presidency to one year, if Government considers such a course necessary and suitable in the case of any District Board except in cases where the term of office of the members of the Board is extended under Section 24 to prevent a person who has held the office of the President for not less than one year from being re-elected as President at the next succeeding election.

The general principles of the Bill together with a copy of the Bill are placed before the Representative Assembly for an expression of their views.

Bill further to Amend the Mysore District Boards Regulation.

Whereas it is expedient further to amend the Mysore District Boards Regulation, 1926; it is hereby enacted as follows:—

1. In Section 18, after Sub-Section (2), the following Sub-Section shall be added:—

"(3) A person who has held the office of President of a District Board for not less than one year shall not be elected as President at the election, if any, next following the expiry of his term of office."

2. In Section 23, after Sub-Section (2), the following Sub-Section shall be added:—

"(3) Notwithstanding anything contained in Sub-Section (1), the term of office of the President shall, if the Government so directs in the case of any District Board, be limited to one year, except in case the term of office of the members of the Board is extended under Section 24."

CAPT Y. V. AYYA and MR. H. C. DASAPPA observed that it would facilitate discussion if the disadvantages of the existing provisions were explained fully as well as the advantages under the proposed modifications.

THE SECOND MEMBER OF COUNCIL explained that under the existing arrangement one and the same President might hold office for a long number of years, but under the proposed arrangement, more persons would be enabled to gain experience in working local self-government institutions.

With reference to the Government taking power to reduce the term from three years to one year in certain cases, MR. H. C. DASAPPA asked whether it was intended to apply to persons who had already been elected as Presidents of the various District Boards.

THE SECOND MEMBER OF COUNCIL replied that that was not the intention. It was only intended to provide for future cases in which an elected President could not devote adequate attention to the work of District Board. Taking, for example, the recent elections, he observed that many of the elected Presidents happened to be lawyers who might or might not find the necessary time to guide the work of the District Boards for a period of three years. If they devoted the time required by such work, their practice might suffer. If they could not manage the work, there was provision, of course, for Government to appoint Chief Officers just as in the case of municipalities, though the Government had not exercised that power so far. Even in future, if the Presidents asked for such appointments, the Govenment would have to appoint Chief Officers. But that was not proposed to be done just at present. He added that the proposed provision was only an enabling one.

MR. N. V. NARAYANA MURTHI said that a Bill on the lines of the recommendations of the Municipal Regulation Amendment Committee would soon have to come up before the Assembly and suggested that that opportunity might be utilised for moving necessary amendments to the District Boards Regulation also.

MR. H. C. DASAPPA instanced the case of the Hassan and the Kolar District Boards whose Presidents had done yeoman service in spite of the fact that they were lawyers. He therefore did not know why the Second Member of Council should have mentioned the example of the recent elections in which lawyers had been returned as Presidents. He thought that it would not look well that Government should propose any modifications in the existing rules just

at present, when it was not known how far the non-official Presidents, who were all young and enthusiastic men, could administer the District Boards successfully. If their work was not satisfactory, he would have no objection to considering the whole matter at the June Session of 1932 so that before June 1933, necessary amendments in the Regulation could be effected. He therefore suggested that the present Bill might be dropped.

MR. V. BANDIAH did not see the necessity for the present Bill, when the District Board Regulation gave power to the Government to appoint Chief Officers in cases where the President could not devote adequate time for the District Board administration.

MESSRS. K. V. VEERANNA, G. MALLANNA, V. VENKATAPPA, G. CHANNAPPA and a large number of other members requested the Government to defer the Bill for the present.

MR. K. T. BHASHYAM IYENGAR observed that the proposal to reduce the term of office of a President from three years to one year was tantamount to curtailing the privilege recently accorded to non-officials. He proceeded on the basis that all elected non-official gentlemen would work in the best interests of the country, and while taking up their office, might well be expected to have realized all the responsibilities attaching thereto. There was nothing to show that any of them were going to fail in their duties. In fact, at the elections, the electors would not vote for persons whose enthusiasm, uprightness and ability to work not well-known. There might be one bad case out of a hundred, but that should not be the criterion for laying down general rules or principles.

Continuing, the member stated that he did not know why the Second Member of Council reminded the House about the power vested in the Government for the appointment of Chief Officers for the District Boards. A reference to that matter in this connection had created some fear in the minds of the members. No District Board would like a Chief Officer to be thrust on it on any account.

He did not also see the reason why any President should be debarred from standing for re-election on the expiry of his original term. The Government, he said, had given enough guidance to local bodies and it was a time they allowed those bodies to work by themselves for some time, at least as an experiment. Supposing, he asked, the Dewan of the State was allowed to remain in office only for one year ; would he have the opportunity or enthusiasm to

enunciate any policies or improve upon existing arrangements and would there be continuity of policy? The proposed Bill would not benefit the Government, but it would dissatisfy and disappoint the people. If any President did good work, he suggested, let there be scope for him to be re-elected.

MR. K. T. SATYANARAYANA SETTI observed that in explaining the statement of objects and reasons the Second Member of Council had remarked that as a result of the information received about certain inconveniences in the working of District Boards, it was considered expedient to take power to limit the term of the Presidents of District Boards to one year. He enquired what the source of Government's information was. He guessed that it might be due to the fact that there were a large number of older and educated people in the cities than in the districts. Regarding the question of applying the recommendation of the Municipal Amendment Committee to the Presidents of District Boards, he said that there was a large disparity between the work in a Municipality and that in a District Board in that the municipal jurisdiction was limited in extent. In the case of the District Board there were many disadvantages in reducing the term of the President. A newly elected President would take about a year to familiarise himself with the details of the work. If, by the time he got a working knowledge, he was required to vacate his seat, what good could he do, he asked, to the local administration. Besides, a gentleman in such a position would exercise little influence on the Board and command no respect in his office. He was therefore of the opinion that the term of the Presidency of District Boards should be retained at three years.

Referring to Mr. Dasappa's argument that the consideration of the Bill should be deferred till after the expiry of the term of the non-official Presidents recently elected to the several District Boards, he said that no personal consideration should be imported into the discussion. As regards the observation from the Government side that three years was too long a period during which to expect non-officials to sacrifice their legitimate avocations in life, he explained that the gentlemen who offered themselves as Presidents did so with full knowledge of their commitments and sacrifices with the sole ambition of serving the country and acquiring an insight into local administration.

In regard to the objection taken to the re-election of the same gentleman as President for a further term, he said that it would amount to restricting the rights of the District

Board members and that if a particular candidate deserved to be continued in the office, there was no reason why it should not be done. Referring to the absolute discretionary powers sought to be retained by Government in the matter of extending the term of office of Presidents in special cases under Section 24, he said that it amounted to taking away with one hand what was given by the other in respect of the rights given to the people under the local self-government scheme. For these reasons he opposed the Bill.

Mr. SOMASEKHARA RAO remarked that the Bill sought to ignore the importance of the office of the President, District Board, in attempting to change the incumbent every year. The President had not merely the privilege of presiding over the deliberations of the Board but he was expected to work with a definite policy under a well-defined scheme and it was impossible for any person to give full effect to his policy in the course of the very first year of his office. It would be impossible to expect a continuity of the policy if the office of the President was being tossed on to different people once a year, and more often than not the programmes outlined by one President would be turned down by his successor, and no scheme would be allowed to fructify. He added that as the spokesman of the Board, the President must have opportunities of laying down a policy and working it.

THE SECOND MEMBER OF COUNCIL pointed out that it was the Board as a whole that laid down the policy.

Mr. SOMASEKHARA RAO said that the laying down of the policy was done under the guidance of the President who was primarily responsible for its execution. He endorsed the opinion that if the term of the President was limited to one year, he would not be able to command sufficient respect in the office. For the above reasons, he was opposed to the reduction of the term proposed in the Bill.

He thought that under the proposed amendment, the Government might limit the term in certain cases and leave the rest alone. This, in his opinion, was tantamount to an arbitrary exercise of power and was opposed to the proviso to Section 23 of the District Board Regulation under which the removal of the President vested in the District Board.

THE SECOND MEMBER OF COUNCIL explained that the amendment was not meant to apply to cases where the Government were dissatisfied with the work of the President. He added that if the term of the office was fixed at one year, a Chief Officer would be appointed who would under

take all the executive work and the policy alone would be laid down by the District Board.

MR. SOMASEKHARA RAO observed that no reference to the appointment of the Chief Officer had been made in the statement of objects and reasons.

THE SECOND MEMBER OF COUNCIL replied that the House was called upon to give its opinion on the general principles of the Bill and that the details would be worked up later. He added that the principles of the Bill would not be altered if it was stated that a Chief Officer would be appointed where the term of the President was limited to one year.

MR. SOMASEKHARA RAO contended that the above change would affect the very principle of the Bill since Government could remove the President after one year if they wanted to appoint a Chief Officer, and what powers would be left to the President consequently would have to be considered also.

THE SECOND MEMBER OF COUNCIL assured the House that there would be no change in the principle and that they ought to credit Government with a certain amount of common-sense in dealing with all such questions.

In conclusion, MR. SOMASEKHARA RAO was for retaining the term of the President at 3 years and for making him eligible for re-election thereafter.

DR. D. S. RAMACHANDRA RAO referring to the two issues raised in the Bill observed that fixing the term at 3 years might be in great many cases a long period and that one year might very rightly be considered as too short a period. He said that any person of ordinary intelligence would require six months to pick up the thread of the work, and by the time he gained experience, it would be one year when he would have to vacate the chair. He added that from the budget point of view, the President of the District Board would have to prepare it for the ensuing year for the next Board and he could have possibly no personal interest in it. The position would thus be that either the budget would have been made by his predecessor or he would have to do it for his successor. He was therefore of the opinion that one year was too short and three years was a bit too long and as a compromise the term might be fixed at two years.

As regards the question of re-election, he said that it was not desirable if the term be made three years and that there would be no objection to it if it was fixed at two years, since two terms would always be better in the interest of the work.

MR. V. VENKATAPPA said that it was not desirable to change the President every year which was, as observed by the previous speaker, too short a period for any one to turn out good work. As regards the next question, he said that as it was necessary to train as large a number as possible in local self-government work, it would be better not to allow a President who had worked for a triennium to seek re-election.

MR. RAMALINGAM CHETTY also endorsed the above opinion.

MR. N. G. SANJEEVIAH said that in big Municipalities and District Boards the Presidents required the help of a responsible Government officer and there was no harm in appointing such an officer.

As regards the objection taken to limiting the term to one year, he said that the difficulties enumerated by the previous speakers were all superficial. The responsibility for drawing up a programme lay not with the President but with the Board who took care to frame it as soon as the election took place. Referring to the difficulty of framing the budget, he pointed out that the difficulty would be there even if the term was 3 years since the President would have to prepare at least one year's budget for his successor. On the whole, he was for fixing the term to one year but not to restrict him from standing for re-election if he wanted to continue for the next term also. After all, if he were unpopular, the members themselves would not re-elect him for another year.

MR. D. S. MALLAPPA remarked that the question at issue in the Bill was not whether the term should be fixed at one year or three years, but to vest in the Government the power to limit the term of each President at their sweet will and pleasure.

THE SECOND MEMBER OF COUNCIL said that was not a correct view to take.

MR. MALLAPPA said that the expression "If the Government considers such a course necessary and suitable in the case of any District Board . . ." in the statement of objects and reasons could convey no other meaning. He contended, that the object of the Bill was to restrict the President from standing again for the next election and the new provision sought to give a handle to Government. At present if a President had to be removed, Government had no power unless they found him to be inefficient or when the Board itself passed a vote of censure against him.

THE SECOND MEMBER OF COUNCIL assured the House that Government would be prepared to modify the Bill and change the particular clauses, if they were found to contain anything more than what was intended.

MR. K. T. BHASHYAM IYENGAR said that in Section 23, new Sub-Section (3) the words "if the Government so directs in the case of any District Board" should be deleted.

THE SECOND MEMBER OF COUNCIL explained that if those words were taken away, they would be forcing the Government to appoint a Chief Officer in every District as otherwise there would be no continuity of the policy under the guidance of the District Board. As matters stood, Government did not want to appoint such an officer unless such a course became absolutely necessary. In cases where the Chief Officer was appointed, the President would have only administrative work, *i.e.*, to guide the policy and the administration of the Board, in which case, one year's term would be quite all right.

MR. MALLAPPA interpreted the new provisions to mean that whenever Government limited the term to one year, the same President could not stand for re-election, and that they had retained the arbitrary power of reducing the period to one year.

THE SECOND MEMBER OF COUNCIL assured the House that they were not meant to be influenced by the considerations of prejudice on account of colour, caste, etc.

MR. MALLAPPA pointed out, that when a new power was taken, there was no knowing how it would be exercised, especially in respect of a President who might be quite popular with the Board and not so with the Government. He objected to the Government taking power to say whether the term of a particular President should be one year or three years.

THE SECOND MEMBER OF COUNCIL said that it was not meant to fix the period on any personal consideration of the view which any President of the District Board might hold.

On MR. MALLAPPA asking for a guarantee to that effect, the PRESIDENT said that the opinion of the Assembly was wanted only on two points, *viz.*,

(1) whether the term should be one year or three years; if the former, a Chief Officer had to be appointed necessarily; and

(2) whether a President would be eligible for re-election at the very next term.

In response to the above MR. MALLAPPA said that one year was too short a period for any President to do his best and as such, it should be retained at three years so as to secure a continuity of policy and the framing of the budget, etc.

He wanted that the question of re-electing a President must be left entirely to the discretion of the Board so that if he was popular and deserving, he might get himself re-elected for another term. The restriction sought to be imposed by the Bill, he said, would be desirable only in the case of nominated President.

MR. B. GOPALACHAR of Thirthahalli supported the above opinion *in toto*.

CAPT. Y. V. AYYA was against the retention of the 3 years' term as that was tending to create factions and party feelings in the Board and the work of the President suffered thereby. If one year was considered too short, he suggested its extension to 1½ years.

MR. S. C. MALLIAH agreed in the view that if the term of the President was fixed at three years, he should not stand again for the succeeding election. If, on the other hand, the term was limited to one year, there need be no objection to the same President standing for re-election the very next year, because unless he was really competent and popular, he would not be elected. As regards the continuity of the policy he could say from personal experience that there would be no obstruction to it since it was to be laid down by the Board and the President himself was not framing it without the consent of the Board.

MR. ABDUL NABI KHAN was for limiting the period to one year so that the President might work enthusiastically with a view to get himself re-elected.

MR. S. VISVESVARA RAO was in favour of reducing the term from three years to one year. So long as the life of the District Board had been fixed three years, the responsibility for preparing the programme would rest with the Board and the President should be merely the mouth-piece of the Board and should not be allowed to act independently of that body.

MR. P. SUBBARAMA CHETTY said that since the reduction of the term to one year necessarily involved the appointment of a Chief Officer, he was opposed to the proposed change. If a Chief Officer be appointed, there was sure to be difference of opinion between this officer and the President. For such was his personal experience. When the policy

of the Government was to develop the local self-government scheme, he deplored the attempt made through the present Bill to interfere with the existing privileges of non-officials and arming Government with arbitrary powers of interference. If three years was considered too long, he had no objection to reducing it to two years. But he was strongly opposed to the appointment of a Commissioner or Chief Officer to be in charge of the executive work.

He also said that the existing rule regarding re-election should be left undisturbed, as only deserving people could hope to be returned in the re-election.

MR. GURUSWAMI GOWDA (Hoskote) said that the privilege of appointing non-official Presidents was given in the first instance only to two districts and on the result of experience gained, the same was extended this year to other districts as well. The term having been fixed at three years recently, it would not be right for Government to go back on it and reduce it to one year, as it would be of no use to real workers. He was also for making every President stand for re-election and take his chance. He said that there should be no necessity for the appointment of a Chief Officer as it involved unnecessary additional expense to the District Board.

MR. M. C. LINGE GOWDA said that unless the powers of the District Boards were increased, no President could do much good in the course of a single year. If Government seriously meant to give an opportunity to local bodies to become autonomous, he said there would be no use reducing the term. There should be no provision for the President to stand for re-election. The amendment now proposed would be all right in Bangalore City where there were big officers, but elsewhere, he said, it would not work.

ANOTHER MEMBER from Malnad said that as in British India, the term in Mysore might be retained at three years and the President be made eligible for re-election.

MR. BELUR SRINIVASIENGAR quoted from the Dewan's Speech at the October 1929 Session of the Assembly as an evidence about the good work done by non-official Presidents of District Boards and said that the term of those Presidents had been fixed at 3 years and one of them was even re-elected by the District Board for a succeeding term of office. Such being the case, he deplored the need for bringing in an amending Bill and said it was totally uncalled for. This was an age of democracy, he said, and any attempt at reducing the powers of the Local Boards would be

resented. His opinion was that the term should not be reduced from three years and the President should be eligible to stand for re-election.

DHARMAPRAKASA D. BANUMAYYA quoted the analogy of Sir Seshadri Iyer who continued to be the Dewan of Mysore for a continuous term of 18 years. Taking this analogy he said that if the President of the District Board was not popular and did not carry on his work well, he could be removed from his place at any time. In this circumstance, he said there was no necessity to alter the existing rule.

MR. B. L. BYANNA said that there were several disadvantages in reducing the term to one year. Firstly, as a Chief Offcer of the grade of an Assistant Commissioner would be appointed, he would be a drain on the resources of the local body. Secondly, the work would suffer as a result of the clash between this officer and the President which was bound to ensue as pointed out by Mr. P. Subbarama Chetty. He pleaded for an extension of the democratic principles by giving the President executive functions in addition to the administrative duties. So, he wanted the period to be retained at 3 years and also that the existing privilege of the President standing for re-election should not be infringed.

MR. B. SRINIVASIENGAR (Anekal) thought that it was too early to think of amending the Regulation in the direction proposed and wanted it to be deferred till Government gained more experience of the work of the non-official Presidents.

MR. M. RAMASWAMI said that since the general feeling was to fix the term of the District Board Presidents at three years, it might be agreed to. But he thought it difficult for the non-official President to attend to the executive duties by himself by giving up his other avocations in life just like a Government officer, and wanted the appointment of a Chief Officer who should be under the orders of the President. If this was done, he said the President could do justice to his work. He was in favour of making the President eligible for re-election.

MR. KRISHNAMURTHIACHAR (Mulbagal) was agreeable to reducing the term to one year provided no Chief Officer was appointed. He was against prohibiting the President from being re-elected.

Thereupon, the question whether the term of 3 years might be reduced to one year was put to vote, and lost by a large majority.

The question whether the President could stand for re-election for the succeeding term was also put to vote and carried by a large majority.

THE SECOND MEMBER OF COUNCIL announced that the remaining three Bills before the House, *viz.*, Nos. VI, VII and VIII further amending the Village Panchayet Regulation, 1926, (*vide* Appendices) would be withdrawn for the present for being brought up again in a consolidated form.

GENERAL DISCUSSIONS ON THE BUDGET.—(*Continued*)

MR. N. Y. NARAYANA MURTHY represented that no facilities could be provided for the introduction of military training and physical culture unless the University grant was increased. He pleaded for an increase in the number of freeships in the University classes to enable poor students to go up for higher education. He also pleaded for the reduction in college and examination fees. He observed that this question of reduction could not be considered favourably at the last meeting of the Senate owing to the inadequacy of the grant to the University. He also pointed out that just like primary education, University education was required to be developed. There were many boys in small towns desirous of studying for higher education. It was to encourage them also, he said, the University grant was required to be enhanced. He also suggested that more accommodation should be provided in the Mechanical, Civil and Electrical Engineering Schools for the benefit of a larger number of poor students, who were at present denied admission for want of seats. He also wanted the scope for the spread of technical education to be enlarged by starting immediately the Technological Institute. He deplored the fact that the grant for rural reconstruction in the next year's budget had been decreased in spite of the clamours of the people for more and more grants and requested that the grant might at least be restored to the previous year's level. He next observed that although Government felt very glad at the increase of revenue under Excise, yet people viewed that increase with disfavour; because, the bulk of that revenue came from the large consumption of liquor. He therefore pleaded for sufficient grants for temperance propaganda. He suggested the formation of a Mining Reserve Fund to provide against the stoppage of mines in course of time.